

FILED 12 DEC '23 16:21 USDC-ORP

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION**

**UNITED STATES OF AMERICA**

**3:23-cr-00400-HZ**

**v.**

**INDICTMENT**

**JACK E. WAGNER,**

**21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and  
859(a)**

**Defendant.**

**18 U.S.C. § 924(c)**

**Forfeiture Allegations**

**THE GRAND JURY CHARGES:**

**COUNT 1**

**(Distribution of a Controlled Substance to Persons Under Age 21)  
(21 U.S.C. § 859(a))**

On or about November 2, 2023, within the District of Oregon, defendant **JACK E. WAGNER**, a person at least 18 years of age, did knowingly and intentionally distribute a controlled substance, to wit: Psilocybin, a Schedule I controlled substance, to a person under 21 years of age, in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C);

In violation of Title 21, United States Code, Section 859(a).

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**Indictment**

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**COUNT 2**  
**(Possession with the Intent to Distribute Psilocybin)**  
**(21 U.S.C. § 841(a)(1) and 841(b)(1)(C))**

On or about November 2, 2023, within the District of Oregon, defendant **JACK E. WAGNER** did knowingly and intentionally possess with the intent to distribute Psilocybin, a Schedule I controlled substance;

In violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C).

**COUNT 3**  
**(Possession with the Intent to Distribute MDMA)**  
**(21 U.S.C. § 841(a)(1) and 841(b)(1)(C))**

On or about November 2, 2023, within the District of Oregon, defendant **JACK E. WAGNER** did knowingly and intentionally possess with the intent to distribute 3,4-Methylenedioxymethamphetamine (MDMA), a Schedule I controlled substance;

In violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C).

**COUNT 4**  
**(Possession with the Intent to Distribute Methamphetamine and MDMA)**  
**(21 U.S.C. § 841(a)(1) and 841(b)(1)(C))**

On or about November 2, 2023, within the District of Oregon, defendant **JACK E. WAGNER** did knowingly and intentionally possess with the intent to distribute a mixture and substance containing Methamphetamine, a Schedule II controlled substance, and 3,4-Methylenedioxymethamphetamine (MDMA), a Schedule I controlled substance;

In violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C).

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**COUNT 5**  
**(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)**  
**(18 U.S.C. § 924(c))**

On or about November 2, 2023, within the District of Oregon, defendant **JACK E. WAGNER**, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is Distribution of a Controlled Substance to Persons Under Age 21 and Possession with the Intent to Distribute a Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 859(a), as set forth in Counts 1, 2, 3, and 4, did knowingly possess a firearm, to-wit: a Sig Sauer P365 9mm pistol with serial number 66F641879;

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

**FORFEITURE ALLEGATION**  
**(Controlled Substance Offenses)**

Upon conviction of an offense in Counts 1 through 4, defendant **JACK E. WAGNER** shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the aforesaid violations and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said violations.

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**SECOND FORFEITURE ALLEGATION**  
**(Firearm Offense)**

Upon conviction of the offense in Count 5, defendant **JACK E. WAGNER** shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), the firearm and ammunition involved in that offense, including without limitation: a Sig Sauer P365 9mm pistol, with serial number 66F641879, and the associated ammunition.

Dated: December 12, 2023.

A TRUE BILL

OFFICIATING FOREPERSON

Presented by:

NATALIE K. WIGHT  
United States Attorney

  
SCOTT M. KERIN, OSB # 965128  
Assistant United States Attorney